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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,167	07/23/2001	Susan Ciaburro	PA-Y1015	3969

41339 7590 12/27/2004  
KARAMBELAS & ASSOCIATES  
655 DEEP VALLEY DRIVE, SUITE 303  
ROLLING HILLS ESTATES, CA 90274

EXAMINER

LEE, JOHN J

ART UNIT PAPER NUMBER

2684

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 09/912,167	<b>Applicant(s)</b> CIABURRO ET AL.	
	<b>Examiner</b> JOHN J LEE	<b>Art Unit</b> 2684	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 30 November 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.

Claim(s) objected to: none.

Claim(s) rejected: 1-11.

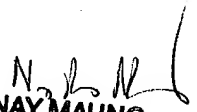
Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: See Continuation Sheet

Continuation of 5. does NOT place the application in condition for allowance because: The applicant's arguments received on 11/30/2004 have been carefully considered but they are not persuasive because the combined teaching of all the cited references as set forth in the previous final rejection reads on all the claims.

In this case, for example, The Applicant argues that the combination of Norin et al. (US Patent number 6,157,817) and Norin (US Patent number 6,233,433) do not teach the claimed limitation "slewing the satellite over orientation angles using a slow constant attitude translation and sensing a power level of the test signal on-board the satellite during slewing". However, Norin (817) the ground station transmits an uplink test signal to the orbiting satellite (test signal on-board) and the satellite measures the power level of uplink signal (sensing a power level of the test signal) received and converts it to a corresponding digital value (constant attitude translation), also, the satellite's position is slewed over angles (slewing the satellite over orientation angles) approximately covering the receive antenna areas of reception, moreover, the power level of received uplink test signal and satellite orientation information (orientation angles) are transmitted to the ground test station in the satellite's telemetry data stream (see abstract, Fig. 2, and column 4, lines 25 - column 5, lines 12), regarding the claimed limitation.

Continuation of 10. Other: : Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Lee whose telephone number is (703) 306-5936.

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER